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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,437	02/23/2004	Alan Rubinstein	3955.US.P	8521
56436 7590 09/26/2007 3COM CORPORATION 350 CAMPUS DRIVE MARLBOROUGH, MA 01752-3064			EXAMINER PATEL, HARESH N	
			ART UNIT	PAPER NUMBER
			2154	
			MAIL DATE	DELIVERY MODE
			09/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/785,437		RUBINSTEIN, ALAN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Haresh Patel		2154	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-51 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Claims 1-51 are subject to examination.

#### *Election/Restrictions*

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-14, 24-51, are drawn to, “**accurately configuring** said location information of said database of said distributed network of network jack units initially; upon detecting a change in said distributed network, **assessing the significance of said change on the coherence of said location information of said database** of said distributed network of network jack units”, classified in class 709, subclass 224.
  - II. Claims 15-19, is drawn to, “**polling** one of said network jack units wherein said network jack unit has been known to a management entity performing said monitoring; **upon detecting no response to said polling, watching for a reconnect event relating** to said network jack unit; and upon **detecting said reconnect event, checking an identity** of said network jack unit”, classified in class 710, subclass 46.
  - III. Claims 20-22, is drawn to, “detecting **an attempt to move** one of said network jack units; **and increasing a frequency** of monitoring said network jack unit for a disconnect transaction, said network jack unit comprises **a tamper sensor** and wherein said detecting comprises **sensing a signal from said tamper sensor**”, classified in class 702, subclass 54.
  - IV. Claim 23, is drawn to, “detecting a **change among table associations**; responsive to said detecting, performing **a location mapping check**; upon detecting a location

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mapping change: **inferring** that said network jack unit was selectively **upgraded and replaced**; and **updating said database**; upon detecting no location mapping change, **checking another port**; and upon **detecting a port swap**, alerting a management entity”, classified in class 707, subclass 200.

3. The inventions are distinct, each from the other because of the following reasons:

Inventions I to IV, are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as, usage of

“**accurately configuring** said location information of said database of said distributed network of network jack units initially; upon detecting a change in said distributed network, **assessing the significance of said change on the coherence of said location information of said database of said distributed network of network jack units**”, lacking one or more of the particulars of inventions II to IV. Invention II has separate utility such as, usage of “**polling** one of said network jack units wherein said network jack unit has been known to a management entity performing said monitoring; **upon detecting no response to said polling, watching for a reconnect event relating** to said network jack unit; and upon **detecting said reconnect event, checking an identity** of said network jack unit”, lacking one or more of the particulars of inventions of I, IV and III. Invention III has separate utility such as, usage of “**detecting an attempt to move** one of said network jack units; **and increasing a frequency** of monitoring said network jack unit for a disconnect transaction, said network jack unit comprises **a tamper sensor** and wherein said detecting comprises **sensing a signal from said tamper sensor**”, one or

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more of the particulars of inventions of I, II and IV. Invention IV has separate utility such as, usage of “detecting a **change among table associations**; responsive to said detecting, performing a **location mapping check**; upon detecting a location mapping change: **inferring** that said network jack unit was selectively **upgraded and replaced**; and **updating said database**; upon detecting no location mapping change, **checking another port**; and upon **detecting a port swap**, alerting a management entity”, one or more of the particulars of inventions of I, II and III. See MPEP 806.05.

4. These inventions are distinct for the reasons given above, and the search required for each Group is different and not co-extensive for examination purpose. For example, the searches for the two inventions would not be co-extensive because these groups would require different searches on PTO's classification class and subclass as following:

- (a) Group I search (claims 1-14, 24-51) would require use of search class 709, subclass 224 (not required for the invention II, III and IV).
- (b) Group II search (claims 15-19) would require use of search class 710, subclass 46 (not required for the invention I, III and IV).
- (c) Group III search (claims 20-22) would require use of search class 702, subclass 54 (not required for the invention I, II and IV).
- (d) Group IV search (claim 23) would require use of search class 707, subclass 200 (not required for the invention I and II).

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5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper. Because these inventions are distinct for the reasons given above and the extensive search required for one group is not required for the other groups, restriction for examination purposes as indicated is proper. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

7. A shortened statutory period for response to this action is set to expire 0 (zero) months and 30 (thirty) days from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, MPEP 710.02, 710.02(b)).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Haresh Patel

September 21, 2007